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ABSTRACT

The paper outlines guidelines for developing policy on use of nontraditional educational interventions (such as timeout, aversive stimulation, biofeedback, behavior modification, relaxation therapy, and group meetings) with behavior disordered students. A model policy statement on the use of isolation rooms is presented. Such a statement should include a brief introduction summarizing the need for the procedure, a definition of the procedure, the efficacy/dangers of the procedure and local, state, and federal laws, regulations, and court decisions relevant to the procedure. Procedural guidelines touch on the following topics: awareness-promoting procedures; actions to be taken and role specifications; handling of complaints and appeals; recordkeeping and retention; general limitations; relevant citations of law and regulation; and useful resources. Extensive appended material includes four policy statements on such topics as timeout, physical restraint, and aversive and deprivation programs. Reactions from administrators and consultants conclude the document. (CL)

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BEHAVIORALLY IMPAIRED

A Support System for Services for Behaviorally Impaired

Developing Guidelines for the Use of Nontraditional Educational Interventions

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Developing Guidelines for the Use of Nontraditional Educational Interventions

Frank Wood, Ph.D.

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Wood, F. Developing Guidelines for the Use of Non-traditional Educational Interventions. Chapter 4, 1982.

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Developing Guidelines for the Use of Nontraditional Educational Interventions

Frank Wood, Ph.D.

"Readin', writin', arithmetic. Taught to the tune o' the hickory stick," goes the refrain of a nostalgic song about school in the "good old days." The hickory stick was a traditional intervention to manage problem behavior in the classroom, and despite growing doubts about its efficacy and appropriateness among today's teachers, its use -- for other people's children -- is still supported by many Americans. As the use of the hickory stick and other methods of corporal punishment has waned in the schools, newer interventions developed in nonschool settings through the application of the principles of human learning and psychotherapuetic treatment have been suggested to teachers to take their place. To the lay public, however, many of these new approaches with their unfamiliar names, suggesting to some that they emanate from the laboratories of "mad scientists" or covert conferences of "morally or politically subversive elements," arouse concern and anxiety. From first-hand experience, many people testify that bruised buttocks heal, but they are not so sure about the "mental wounds" that may be left from "solitary confinement" in a timeout room. As a result, while the courts have slowly moved to extend the protection of civil and criminal law to students subjected to corporal punishment, stopping short of declaring it a violation of students' constitutional rights (Ingraham v. Wright, 1977), the public seems to remain apprehensive about the possibly harmful effects of the procedures suggested as alternatives.

In this paper, the development of guidelines for the use of nontraditional educational interventions will be discussed. Nontraditional educational interventions include but are not limited to those listed in Figure I. Of those in this list, only biofeedback is actually a <u>new</u> procedure. Most are practices hundreds, if not thousands, of years old. What makes them "nontraditional" in the public mind when they are applied in schools are new labels, recent, often exaggerated claims that they are more systematic and scientific than more popular procedures, and the fact that they are not recognized as part of the standard role activities expected of teachers. The lay person tends to be conservative where child rearing practices are concerned, a trait that a recent president of the American Psychological Association pointed out may be important in the survival of the species (Campbell, 1975). They did not want their children used as "guinea pigs" if any risks are involved.

The position of this paper is that the public's concern about nontraditional interventions deserves the respect of educators. New intervention procedures should be closely

Figure 1

Nontraditional Educational Interventions and Some Common Criticisms Made By Their Opponents.

Non-traditional Educational Interventions	Common Criticisms		
	"Abusive"	"Teachers not qualified to use without additional professional supervision"	"Harmful to moral or religious values"
Timeout	X		
Aversive Stimulation	X	X	
Behavioral Modification	X	X	X
Biofeedback		X	X
Relaxation Therapy		X	X
Yoga		X	X
Affective Education			X
Transcendental Meditation			X
Moral Development			X
Group Meetings			X

X = Most common criticisms.

scrutinized before they are applied in the schools, and procedures developed to guide teachers in their use. Where public resistance is strong, the answer is public education rather than deception or recrimination. This approach will be found to be in the best interest of both educators and the public -- including the children who attend our schools.

There are several possible loci for the development of policy statements and procedural guidelines. One is a single school, such as a special school serving a defined population for whom a specific new intervention seems appropriate. Others are school districts, or even larger units such as the state or nation. In both cases, the steps to be taken are similar, although greater size brings greater complexity. Figure 2 shows in outline form the major points to be addressed in the remainder of this paper. These will be taken up for further discussion and examples provided when they may be helpful.

The Introduction/Background Statement

The statement of policy and procedures is a public document. Its purpose is to inform and educate not only teachers, but also students, parents, and the community. A brief introduction (1-2 page) is an important part of such a document. This introduction or background statement should provide information about the need for the new procedure, a general definition of the procedure itself, a synopsis of information about the efficacy of the procedure and any attendant dangers, and a summary of law and regulation relating to its use in schools. The drafters of this introductory statement will do well to bear in mind that passages from this part of the document will often be quoted in media reports, should the use of the procedure be controversial. Thus, although its placement precedes that of other sections in the total document, it may be best to delay composition of the introduction until the major sections on policy and procedures are in final form, so that full consistency with those sections is assured. Thus, from the viewpoint of the drafters of the policy and procedures document, the introduction or background statement can also be considered a narrative summary of the major points covered in the document as a whole.

Policy Statement

A policy statement covering a procedure should be formally adopted by whatever advisory committee is appropriate, the elected or appointed school board, or an invited parent/-professional advisory committee. The policy statement itself should be brief. Too frequently, policy and procedural statements are not differentiated so that general policy issues cannot be easily differentiated from recommendations for specific procedural practice based on interpretations of policy. Details of procedure are more appropriately left to professional staff, and while they are open to discussion

Figure 2

Elements of a Model Policy Statement

A. Introduction/Background Statement

B. Policy Statement

1. General Statement
2. Definitions.
3. Relevant local, state, and federal laws, regulations, and court decisions (may be appended).

C. Procedural guidelines

1. Awareness - promoting procedures.
2. Actions to be taken, specification of roles and settings, including preparation and follow up.
3. Handling of complaints and appeals.
4. Record keeping and retention.
5. General limitations (may be appended).
6. Relevant citations of law and regulation.
7. Useful resources.

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and comment by the advisory committee, the method for change of procedure open to such a group is a change of policy itself.

Here is a model policy statement on the use of isolation rooms:

It shall be the policy of the _____ School district to permit the placement of students in specially prepared isolation areas for short periods of time for the purpose of controlling severely disruptive behavior that endangers the student's well being or safety, the safety or well being of other members of the school, or threatens the proper functioning of the school. A due process procedure as required by other policies of this district shall be observed when an isolation procedure is used. The isolation area shall be prepared and operated to meet the requirements of state and local codes so that the safety of the student who is isolated is assured. A full description of the procedures to be followed in the use of isolation should be prepared by the administration and made available on request at no cost to any resident of the district.

Such a policy statement might be followed by references or quotations from local and state regulations covering issues such as due process, child abuse, and corporal punishment. Major court decisions applicable, if any, might also be cited.

Here is a second example of a policy statement. This statement is based on a draft statement on the distinction between corporal punishment and restraint presented to a Board of Education for adoption. This statement contains some basic philosophical language that might have been placed in an introductory statement, as well as definitions of the key terms at issue.

The Board of Education of _____ School District deplores the use of violence as a way of dealing with human problems. Violence is far too common in American society, and we desire to do everything possible in _____ School District to discourage violence and teach students to solve problems without resorting to violence. The Board of Education recognizes that corporal punishment, however moderate, is a form of violence. Since example is a powerful teacher, the use of corporal punishment does not represent the kind of discipline we seek in correcting student behavior.

Corporal punishment. 1) It is the policy of _____ School District to discourage the use of corporal punishment. However, such punishment may be appropriate on rare occasions when all other means of correction have failed. 2) Corporal punishment may not take the form of retaliation, automatic consequence of a misdeed, or emotional release on the part of the staff. 3) Corporal punishment shall be defined as the infliction of bodily pain with the hand or paddle, commonly called a spanking, as a consequence for an act which has been deemed unacceptable by the teacher

and/or the administration. No other means of administering physical punishment is ever to be used.

Physical restraint. 1) In certain instances it becomes necessary to use physical restraint to provide a safe environment for students. Reasonable force may be used upon a student without his or her consent, when used by an administrator, teacher, or general staff member in the exercise of lawful authority to restrain such a student. 2) Physical restraint shall be defined as the physical force necessary, but in no greater measure than is necessary, to prevent the adverse action of one or more students from affecting students or staff members. 3) Physical restraint may be used by staff members to: (a) quell a disturbance threatening injury to others; (b) obtain possession of weapons and other dangerous objects on the person or within the control of the pupil; (c) engage in self defense, (d) protect persons and/or property; and (e) direct the movement or actions of a student in order to avoid undue or deliberate disruption of the classroom or other parts of the room. 4) Physical restraint should not be construed to constitute corporal punishment within the meaning and intention of this policy.

This policy statement was followed by a letter of opinion from the school's legal counsel to the school citing the status of current and recommended procedures in the light of law and court decisions. Such review by an attorney should be noted as a desirable practice.

Procedural Guidelines

Awareness-Promoting Procedures. A policy statement is a statement of intent. Procedural guidelines translate that intent into practice. An important area of procedure not addressed in the policy statement is the means through which awareness of the procedures used can be developed in the groups administering or affected by implementation of this policy. The procedural guidelines should specify how staff, students, parents, and the community are to be informed of the policy and procedures.

The first important awareness-promoting activity is the development of the procedural statement itself. Regardless of who has the responsibility for preparing the text of the statement, a full range of interested professional and lay members of the community should have input along the way. This broad participation educates the public about the issue at the same time that it assures good support for the final statement. It also provides an opportunity for any major opposition to surface before the use of a non-traditional intervention is commenced. Of course, it must be accepted that the end result of such public discussion may be the prohibition or curtailing of use of a procedure in a particular district. For example, a general policy guideline statement on the use of aversive and deprivation treament procedures which was

developed by the Minnesota Department of Welfare staff with broad citizen participation in the late 1970's was never adopted because significant opposition emerged at a public hearing despite serious efforts to accommodate all concerns raised as the statement was being drafted. When we are developing policy for a public agency such as the school, it is better to deal with whatever opposition exists at the time the statement is being drafted rather than face later negative publicity and possible legal action.

Once the policy and procedures statement has been adopted, all staff members involved in its use must receive inservice training. At the completion of training, it may be wise to have them sign a statement for the school file that they have read the policy statement and received instruction regarding the procedures. Every effort should be made to keep information about the policy and its implementation available to interested persons. Efforts to restrict information are likely to arouse suspicion that something is being covered up. Most protestors are motivated by sincere concerns. The rare malicious trouble maker is best handled through securing an individual injunction.

One procedural statement reviewed during the preparation of this paper suggested the following awareness activities: Each school year the staff is to be presented with copies of the relevant district policy statement, state laws, and regulations. This material should be reviewed at an in-service training session for the entire staff. Copies of procedures should be distributed, discussed, and demonstrated at this inservice. New staff members will receive the same training as part of their orientation experience when they join the staff. Each year, parents, guardians, and caretakers of students should receive copies of relevant laws, regulations, and policy statements through the mail. The inservice training activities will be open to parents and others who wish to participate in them.

More specific awareness on the part of parents is assured by a requirement that their informed written consent be obtained before an intervention is used with their student. At the time of signing, parents should be informed in writing that their consent may be withdrawn at any time.

Those developing a policy and procedures for the school use of nontraditional educational interventions should be fully aware of their controversial nature to some persons. Individuals or small groups in a community may raise very strong objections to use of particular procedures. Staff must be prepared to be immediately forthcoming with full information explaining the procedures used and documenting their effectiveness as compared to alternatives. The writer knows of two incidents during the past two years where such preparedness enabled a school staff to meet and effectively encounter potentially injurious criticism.

In one case, a community member opposed to the use of timeout procedures in a school for seriously emotionally disturbed students stimulated a visit to the special school by a TV investigative reporting team, complete with cameras and lights, by telephoning a false report that students at the school were being locked in small trunk-like boxes for long periods of time. After entering the school with a warrant issued by the county sheriff, the TV team was well enough impressed by the careful professional practice they observed at the school to do a straight forward report on what they found rather than the sensational expose they had planned. In another incident, a parent opposed to the use of timeout and isolation procedures stimulated a feature story writer to write a sensational newspaper article about the use of such procedures that made specific reference to the school the parent's child attended, although timeout and isolation was not being used wth this child because of the refusal of parental consent. The writer did not visit the school, relying only on the parent's report. The resulting article, entitled "Treatment from a box", was inaccurate and highly sensational in tone. However, the staff of the school was able to manage the situation by responding openly to questions from other people in the community and referring to their well described procedure and data on its effectiveness. Other parents were quite offended by the misrepresentation that appeared in the published article and also defended the school.

These incidents make clear the importance of being prepared to face having a spotlight turned on us if necessary. The best advice to educators is do not use procedures with which you are not comfortable as a professional and as a person. Use only procedures you feel will help students to healthy growth and fuller development of their potential. Be prepared at all times to explain and justify publicly the choice of procedures used. The odds are good that you will never face situations like those described, but if you should have to do so, you will be prepared. After taking a deep breath, you will find yourself able to "meet the press."

Guidelines for Use. Descriptions of actual procedures to be followed by staff should cover the following points: (a) formal definitions of terms used together with examples; (b) specific descriptions of roles of responsible staff and appropriate settings for use of interventions; (c) steps to be taken prior to use, including data collection, description of alternatives tried, specification of settings and students where use is counterindicated; team review and approval, obtaining of parental consent, prior informing of students about procedures to be used, and a procedure for dealing with parental refusal to permit the use of procedures; (d) careful description of the procedures themselves with notes on limits of use; (e) a plan for record keeping and retention, and periodic outside auditing of

implementation and effectiveness; (f) a description of the procedure to be followed in cases of complaint about the use of the procedures; (g) citation of any related regulations which form part of the background of use of the procedure, such as staff liability or privacy of information; (h) an appendix with sample forms to be used in referring, assessment, planning, monitoring, and terminating the use of procedures and reporting decisions. Samples of letters to be sent to inform parents and consent forms should be included. Discussion of these points with some illustrative examples follows.

Formal definition of terms is very important. Definitions should be accompanied by enough examples so that their meaning in school settings is clear. For example, an "aversive procedure" may be generally defined as the contigent application of a painful or noxious stimulus as a consequence for a particular behavior. In a school situation, this might include physically restraining a student against his/her will, use of an overcorrection procedure, deprivation of things or services to which a student would ordinarily be entitled, timeout from reinforcement, and isolation. In some settings, it might also incluce the oral administration of harmless but unpleasant tasting substances. In most schools serving emotionally disturbed students, use of corporal punishment in the sense of paddling or switching, or of mild electroshock, would be regarded as severe enough to receive attention in a separate policy, although they might be mentioned, and perhaps specifically prohibited, as part of a policy on other aversive procedures. Verbal reprimands, while certainly noxious to those to whom they are directed, are part of the traditional repetoire of the teacher and would not usually be mentioned. The best advice is to provide a technically accurate definition of each procedure with accompanying examples to clarify and limit its meaning.

Most procedures included as nontraditional educational interventions should be used only under adequate supervision by persons with previous training. Such training should cover characteristics of settings in which procedures are to be used: Is a specially prepared room or special equipment required? Is the procedure to be administered only in the presence of witnesses? Never in the presence of other students? At limited intervals and for limited durations? If the guidelines specify that procedures are to be used only by a few, specially trained personnel, full information about the kind of training required should be appended or available on request. Failure to provide adequate training of staff members makes administrators liable to charges of negligence if students are treated abusively.

Because of the general requirement for due process procedures in the Education of All Handicapped Children Act (P.L. 94-142), most school personnel have been trained in the

theory and methods of due process. They understand that certain steps must be taken before interventions are implemented. Coverage of this topic in the procedural guidelines may be shortened by reference to more general policies and procedures with mention given only to specially significant points of concern. For example, besides being told about the use of an isolation room, parents should be shown the room and, if they wish, permitted to visit the school during the day when timeout and isolation procedures are being used. Parents should also be informed of the alternatives available. Some of the non-tracitional procedures mentioned sound more threatening in the abstract than they may appear in application. The important point is to assure fully informed parental consent before a procedure is actually used with a student.

The description of the procedures themselves should be prepared carefully by a committee of persons familiar with their use and reviewed by a wider audience, including both lay people and professionals. How extensive this review should be will vary with the scope of the guidelines adopted. If they apply only to a single school or a smaller unit, the group to be involved in the review can be smaller than when an entire school district or a cooperative unit is involved. In some instances, announced public hearings should be held before regulations are adopted. Appropriate counsel for administrators should be sought. Certainly, approval by only the program staff, itself, no matter how qualified, is not adequate.

Procedures to be adopted should include descriptions of the records to be kept of the use of the intervention. Such records should permit monitoring of the effectiveness as well as detailing what happened and specifics of use. Thus, reduction of the frequency of application may be an indicator of progress when isolation is being used while changes of behavior in a desired direction may show that group discussions are effective. The procedural guidelines should specify where records will be kept and who is responsible for maintaining them. As a general rule, records should be kept for at least one year before being disposed of, and in the case of controversial procedures, retention for longer periods is desirable. Those responsible for record maintenance and retention should know who is privileged to have access to records, and under what conditions, so that confidentiality requirements are not violated. In general, besides the staff who are working directly with the student and those making up the educational planning team, parents should be allowed to inspect the records pertaining to their student. Legal advice should be sought before original records are copied or removed from their primary place of retention.

To meet the requirements of due process in planning education for students with special needs, school districts have developed procedures for parental com-

plaints and appeal. These procedures will generally be satisfactory for handling complaints about the use of nontraditional educational interventions as well, but they should be checked for completeness and references to them should be included in the guidelines.

Those preparing the guidelines will have undertaken a thorough search of laws, regulations, and court decisions to find instances that affect the use of nontraditional educational procedures in the schools. At times, existing procedural statements will provide much guidance in the development of local plans. At other times, limited guidance, such as memorandums, may be all that is available, or nothing at all may exist. Assistance from an attorney familiar with school law and regulations should be of great assistance in locating relevant material. Full citations of important sources should be a part of the procedural statement, and brief but important rulings may be included in their entirety.

It will also be helpful if copies of forms and related information to be used by staff when implementing the procedure are included in an appendix. A policy/procedures statement on abusive treatment reviewed includes a list of community agencies and other helpful resources, forms for recording and reporting abuse, and a list of symptoms for which teachers should be on the watch. A policy/procedures statement on the use of aversive procedures includes a list of references to the professional literature, a format for record keeping, a related state memorandum on the use of isolation in schools, and a form to be signed by staff indicating they have received copies of the material and instructions in their use from their supervisor.

On occasion, it may be desirable to include more general, but related policy statements in the statement of procedural guidelines. Thus, local administrators must decide whether policy statements about staff liability or the privacy of records should be included in the appendix of the document developed. Usually, citation of sources will be sufficient.

Resources

Where can a local program that wishes to develop a policy/procedural guideline statement on the use of a non-traditional special educational procedures find guidance? One obvious source of help is statements adopted by other, similar programs (See appendices). Copies of such statements should be available on request. Good places to begin would be the school psychology and special education units of large school systems and public or private institutions serving seriously behaviorally disordered/ emotionally disturbed children and youth. Statements collected in the manner described provide a good place from which to begin the preparation of a statement by program staff. Remember, however, that there is no assurance that a statement is a good one just because someone

else has adopted it.

A second good source of information is the state department of education and its special educational unit. State agency personnel should know where policy and guideline statements have been adopted at the state and federal level, and may know districts that have already adopted or are working on statements.

For more information about specific laws, regulations, and court decisions that may affect the proposed use of intervention procedures a very helpful resource is the Education for the Handicapped Law Report. This multi-volume report on legal topics relating to the handicapped is prepared by a private, non-profit organization located at 1156 15th St. N.W., Suite 724, Washington, D.C., 20005. Volumes are updated twice monthly by the review service. Information covers legislation, regulations, current and past court decisions, Office of Special Education and Rehabilitation decisions, Office of Civil Rights findings, and state education agency appeal decisions relative to handicapped individuals. The stress is on due process and right to service rather than specific interventions. While the review service may be too expensive for smaller school districts, copies should be available in law libraries and at the state education agency.

The National Needs Analysis in Behavior Disorders Project at the University of Missouri-Columbia, Columbia, Missouri, is currently preparing a digest of law and regulation on a number of topics related to the provision of education to the behaviorally disordered/emotionally disturbed population. Future publications by the Project may address issues related to the use of non-traditional interventions. Information can be obtained by writing to the Project in care of the Department of Special Education at the University.

Another source of information is the published literature on nontraditional educational interventions and their use in the schools. Gast and Nelson (1977) have written about the use of timeout and isolation. Wood and Lakin (1978) edited a volume of papers on the use of punishment and aversive stimulation with special populations. Faculty at nearby teacher training institutions may be able to provide other references.

A final source of help is consultation from professionals experienced with the use of the procedures themselves. Examples would be attorneys familiar with school and welfare law and regulations, administrators who have supervised programs similar to that proposed, and professionals who are familiar with general public opinion about their use. Again, it may be pointed out a relatively small amount spent on consultant fees may enable a district to avoid much larger court costs later on.

Consultation with sources such as those mentioned should be a documented aspect of the development of policy/procedural guidelines. In the case of

objections or criticism at some point, it is always helpful to be able to site a supporting authority for the decisions that have been made.

Concluding Comments

By now, the process of developing procedures for use of nontraditional educational interventions may seem an overwhelming task. Such a response is a natural reaction to the approach taken in this paper, which has been to choose out elements of best practice from a number of examples, making for an exhaustive discussion rather than a minimal review of possibilities. Because of the serious issues involved, a more thorough approach seemed preferable.

In practice, policy/ procedures statements tend to have thin spots, and even holes. Sometimes an introduction/ background statement is omitted completely; often it is very brief. Definitions vary in clarity and precision, reflecting in one case an evening's work by a single individual, and in another, a year's work by a specially selected task force. A careful review of the court reports may produce few or no decisions worth citing, and your state may not have developed regulations touching on any of the interventions listed.

In the end, no policy/ procedures statement is going to be without flaws. The Constitution of the United States, one of the most admirable policy/procedures statements ever drafted, has been amended 26 times and had its meaning clarified and extended through hundreds of court decisions. The critical point when guidelines come under close scrutiny is not that they be perfect but that they show evidence of proper intentions and thoughtful development. Through revision, they can be improved. While the statements we draft will not challenge the Constitution's remarkable record of salutary guidance, they can provide the basis for much improved practice by the professionals whose behavior they instruct.

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Appendix A

Time-out, Humane Handling and Physical Restraints

Minneapolis Public Schools, Minneapolis, Minnesota

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Background Information

Over the past forty years in the field of human service, there have been major reforms and advancements in the philosophy of care and treatment goals for individuals with significant behavioral, social and emotional problems. Beginning in the early 1960's, public schools began to assume a significant responsibility, not only for the academic needs of school age children and youth, but also for the primary or supportive management of their behavioral, social, emotional problems within the school environment. In 1977 Public Law 94-142 removed whatever question there may have been about the responsibility of public schools to serve, along with all other handicapped children, those with mild, moderate and severe behavior disorders. Thus, in a very brief period of history, a fundamental shift has occurred in ideology from exclusion to mandatory inclusion of emotionally disturbed children and youth within public schools.

This new direction presents educators with a significant challenge. What was formerly the primary responsibility of the mental health field has become another dimension of the role of public education along with all attendant issues, difficult problems and demands. The Minneapolis Public Schools was one of the first districts in the nation to serve emotionally disturbed children. Minneapolis also has been a leader in program development with a commitment to excellence and leadership by providing effective and humane programs for students handicapped with social and emotional disorders.

However, the current challenge is more than maintaining financial support, competent personnel and appropriate learning environments and materials. The challenge is also to continue improving the skills of personnel as well as refining and developing interventions which will enable more students to function successfully in the mainstream. This includes the formation and adoption of district policies which provide for humane treatment, protection of student and parent's rights and effective interventions substituting adaptive personal-social skills and emotional well-being for maladaptive behaviors.

There exists many varied theories and diverse opinions regarding the causes of emotional disturbance and behavior disorders as well as methods of treatment. The theory which has gained increasing acceptance over the past decade within education

as well as in the mental health field is "Learning Theory." In practice, the system derived from this theory is most often referred to as "behavior modification." The primary assumptions of this system are:

1. Maladaptive or undesirable behavior is learned in the same way and occurs for the same basic reason as any other behavior.
2. Behavior is maintained by its reinforcing consequences.
3. Desirable behavior can be learned to replace undesirable behavior by following desirable behavior with reinforcers and concomitantly removing reinforcement following undesirable behaviors.

The purpose of this document is to focus on one of the behavior change techniques associated with "behavior modification" and to prescribe a policy for its use within the Minneapolis Public Schools, specifically within the Department of Special Education. The technique is known as time-out from reinforcement.

Definition:

The term, "time-out," as used within the mental health field, means removal from positive reinforcement. The procedure may be either the removal of the reinforcement from where the individual is, or removal of the individual from a reinforcing environment. This procedure assumes that some event is maintaining an undesirable behavior and that by removal from that reinforcement event, the undesirable behavior will diminish. A different, more desirable behavior can then be developed and reinforced with positive consequences. The procedure can be as simple as ignoring a previously reinforced behavior or as intense as isolation.

Many examples of this basic procedure are found in homes, schools and community. For instance, it is common practice for parents to send a child to a room until the child is willing to follow basic family expectations. Nearly everyone learns to ignore an individual behaving in a way that is disturbing. Teachers ask students to sit apart from the group in the hall until they are willing to comply with classroom expectations. Principals suspend students from school for short periods of time to interrupt a behavior. Each of these is a form of time-out.

The use of time-out in education to change undesirable behavior serves the same purpose it does in a game -- in essence, it means -- stop the action, something is not right, plan something different and try another strategy. The key is to interrupt an inappropriate behavior for a brief period of time so a new behavior can be developed. In this view, since a time-out allows a child to return to an activity after a short period of time, it is a better alternative than perpetuating an unsuccessful plan or excluding the student from the activity or program.

While time-out is the contingent withdrawal of rein-

forcement, that is, it follows an undesirable behavior, the intent is not punishment. The goal is to interrupt a behavior and reduce its frequency so that other behaviors may be developed and reinforced.

Legal and Ethical Implications:

There is little question that time-out is an effective technique for changing an individual's behavior. In its most common and least intensive applications, such as ignoring or in-classroom removal from group, few question the appropriateness of its use to help decrease inappropriate behavior. However, when an individual or organization has the ability to control available reinforcers and the use of locked isolation, the legal and ethical dangers are apparent if the ability to manipulate reinforcement is abused. Gast and Nelson (1977) discuss the ethical and legal implications of the use of time-out in educational settings in the following quotation:

> Few judicial proceedings have directly addressed the use of time-out from positive reinforcement as a viable and socially acceptable means for suppressing inappropriate behaviors in the classroom. The most extensive judicial proceeding that addressed time-out practices has been Wyatt v. Stickney (1972). In general, this court stated that the right to treatment included the right to be free from isolation. An exception to this policy would be in emergency situations to prevent residents from harming themselves or others. In essence, the decision permitted room isolation (seclusion time-out) if and when less restrictive means for controlling behavior were not feasible or had proved ineffective. No such exceptions were authorized with respect to mentally retarded persons.
>
> According to the Wyatt v. Stickney (1972) decision, if "room time-out": is to be used with "mentally ill" persons, the following guidelines should be followed closely:
>
> 1. The patient should not be placed in an isolation room for longer than one hour before calling a qualified nental health professional.
> 2. The professional should evaluate the episode resulting in time-out.
> 3. If the professional determines that continuation of the time-out duration is necessary, a written rationale for the decision must be provided.
> 4. The written order for continuing time-out stands for a maximum of 24 hours.
> 5. While a patient is in a prolonged time-out period, observation must be made a minimum of once every hour.
> 6. Records on the patient's behavior while in isolation should be charted.
>
> The Wyatt v. Stickney decision clearly recognized a distinction between the traditional use of seclusion and time-out practices. According to this decision, legitimate time-out procedures may be used under close and direct professional supervision as a technique in

behavior shaping programs, Wyatt v. Stickney (1972). The court, however, failed to specify what constituted a legitimate time-out procedure. It can be only assumed, as Budd (1974) did, that a legitimate time-out procedure is one that is: (a) consistently administered contingent upon occurrences of an undesirable behavior; (b) a brief procedure lasting between 1 and 5 minutes and rarely extending longer than 15 minutes; and (c) coupled with objective observation of whether or not time-out is fruitful in remediating the problem behavior. (p. 49)

Operational Definition:

As previously defined, time-out is the removal of or from reinforcement. Procedures for time-out may be employed within a range of degrees of intrusiveness. It is important to recognize that all applications of time-out are brief and temporary.

The least intrusive procedures generally include the following: contingent ignoring, loss of opportunity to earn points or tokens, removal of rewarding stimuli from the student, removal from the group or adult to a designated part of the classroom or a loss of access to discretionary activities or services.

More intrusive procedures include the following: removal of the student to any area out of the classroom including a time-out room which cannot be locked for a minimum period of time or any procedure which involves the physical movement of the student, either within or outside the classroom, to insure implementation of the management procedure.

The most intrusive procedures appropriate in educational settings include the following: temporary removal of the student to an isolation room which can be locked when used as isolation time-out or any procedure involving physical restraint (see appendix).

The most intrusive procedures are only used when less intrusive procedures have been tried and are not successful in protecting the student or others from injury or to maintain management of the student in the adjacent time-out room. Programs using these procedures will have a written plan for their use on file with a copy in the administrator's office.

All applications of time-out are designed to enable staff to maintain and retain the student in a school program, and to enable the student to return to a routine instructional program as quickly as possible. This view of time-out will specifically exclude informal and formal suspensions from consideration as time-out procedures.

Procedures:

Implementing any of the more or most intrusive applications of time-out requires the following steps:

1. Identifying the student's specific problem behaviors.
2. Writing a plan for the student for the contingent use of time-out.
3. Developing a monitoring system for recording the

frequency of time-outs and actual duration of time-out.

4. Identifying appropriate behaviors incompatible with maladaptive behaviors and developing a written plan to strengthen or reinforce those behaviors.

5. Evaluating the effectiveness of time-out.

6. Thorough verbal explanation to parents of procedures to be used.

7. Written description of time-out procedures used and a description of the structure of the time-out room which are available for parents and on file in the Special Education office.

The use of the most intrusive procedures also require:

1. A signature acknowledging informed consent of the legal guardian or the student of legal age to the procedures to be applied to the student.

2. Continuous observation of the student while in isolation.

3. Written records of the reason for seclusion and/or restraint and duration per day.

4. Administrative review when the student is in isolation after 20 minutes for elementary age and one hour for secondary age.

5. Supervision of the procedures employed by an administrator with formal training or documented experience in applied behavior analysis. A minimum training level of a masters degree is required.

6. A program for training of all staff using identified procedures and periodic staff development and review sessions occurring not less than twice a year.

7. A formal evaluation of program use of isolation time-out at a minimum of once a year.

Backup Systems:

The least intrusive application of time-out possible will be used initially to interrupt unacceptable behaviors. The decision to use more intrusive procedures will be based on records demonstrating that the combination of reinforcement for appropriate behaviors and the existing time-out plan are ineffective. The use of isolation time-out will be restricted to special schools programs and to Minneapolis personnel in hospital or residential programs.

In the event that the combination of reinforcement systems and isolation time-out are ineffective in a special school program, the administrator, with the support team, may determine that the student will be sent home for the balance of the day. If the problem behaviors persist, or escalate, the administrator may request an administrator review and/or external assessment to determine if the student can continue to be served in a day school program.

Record Keeping:

All planned uses of time-out require a written description of the time-out procedures to be used. Any procedures beyond the least intrusive require cumulative records which include:

1. Student's name.
2. Date.
3. Time of entry to time-out.

4. Reason for time-out.
5. Time of departure from time-out and total minutes in time-out.
6. Identification of adult implementing the time-out and, if different, the adult supervising the time-out.
7. Reason for isolation or restraint if used.

Failure Review Criteria:

The effectiveness of time-out will be continuously monitored. The decision to continue, modify or discontinue a time-out plan for a student should be reviewed by the instructional/support team no less than every six weeks.

Procedures Not Permitted:

1. Isolation in darkness.
2. Isolation from sound.
3. Isolation for more than 20 minutes for elementary students and one hour for secondary students without administrative review.
4. Loss of food or fluid.
5. Loss of lavatory access.
6. Repeated time-outs for a single behavior incident.
7. Contingent use of medications or recommendation to medicate.
8. Isolation more than three times a day without administrative review.
9. Isolation for refusal to do assignments, oppositional language or other behavior which does not threaten the safety of the student, other people or program operation.

Supervision:

Time-out is one of many treatment procedures available to help individuals develop self-control so that they can learn adaptive, positive self-management, and social skills. To assure its proper, effective and humane use, time-out requires that personnel employing this technique are knowledgable in its theory, skilled in behavioral assessment and committed to a code of ethics which protects students' welfare and rights including the right to effective and humane treatment. To meet this need, the more and most intrusive uses of time-out procedures in Minneapolis Public Schools will be restricted to programs whose staff have demonstrated a fundamental knowledge of the function and process of time-out and whose immediate supervisor is qualified to assess the effectiveness of the procedures employed. The direct service program administrator shall be responsible for insuring that the appropriate steps of assessment, planning, monitoring and evaluation are followed and for taking corrective action when approved procedures are not followed.

The Director of Special Education and/or a qualified designee will be knowledgeable of the time-out procedures employed within the district Special Education Programs and will review those procedures with appropriate program administrators. Also, the Director of Special Education or designee will review any required changes in policy or practice regarding time-out that may be initiated by State Department of Education rules and regulations, court

decisions, or best practices as determined by current research.

Further, the supervision of appropriate use of time-out within the school district will be monitored by the Director of Special Education, or designee. It is suggested that a committee consisting of the Director of Special Education or designee, representatives from the Department of Social Work, Psychological Services, Health Services and an elementary and a secondary special education program administrator annually review evaluation data and written procedures submitted by special education program administrators and assist the Director of Special Education in preparing any changes in policy or practices as well as any other reports, documents or activities concerning the use of time-out.

Humane Handling Procedures

In every way possible, staff will refrain from using physical intervention to restrain, correct or change student behavior. Written program alternatives to physical management should be developed for students known or assumed to be violent. Physical interventions will only be used for the following purposes:

1. To protect the safety of the student or others.
2. To prevent property damage.
3. To prevent severe physical disruption of the school environment.
4. To effect the implementation of planned treatment procedures, such as moving a non-compliant student from one location to another or to a time-out area.
5. To implement "therapeutic holding" when a student is out of control.

Humane handling procedures are the application of non-reinforcing physical force to a student for the purpose of preventing or terminating a specific action or movement. These procedures are used only to protect the physical safety of the student or others, to prevent severe physical disruption of the environment, or when a written behavior program specifies its use. In addition, humane handling procedures may be necessary to move a noncompliant student from one location, such as a classroom, to another place, such as the Time-out Room. A written intervention plan or Behavior Team Meeting plan should be developed whenever persistent behavior problems require the use of humane handling procedures.

Physical Restraint and Humane Handling of Elementary Age Students

1. Restraint is not intended to inflict pain or to otherwise physically punish a student. Since for some students, physical restraint may be positive reinforcement, it should be used as a final alternative in managing behavior. To prevent endangering a student, only specified methods of control may be used, as follows:

A. Holding a student's hand.

B. Hold a student's arm above the wrist and below the elbow.

C. Holding a student from behind with adult hands under each armpit, pulling the student tight against the adult's body.

D. Holding a student from behind with the adult's arm across the chest and below the student's shoulder level. The arms must be above the child's wrist.

E. When holding a student near a wall, a distance of one foot between the student and the wall should be maintained.

F. A student restrained on a floor should be held in such a way as to prevent head or facial injury.

2. It is sometimes necessary to cause a student to release a violent grasp on a person or inanimate object when a clear and present danger exists. For this type of situation, a "thumb peeling" maneuver is sanctioned. This procedure requires that pressure be applied to the base of the student's thumb and fingers to unfold the thumb and fingers from the grasp. This procedure should not result in physical pain to the student.

3. In the event that a student or adult is accidentally injured while being physically managed, health personnel should examine the injured person. Adults present during the incident should file a Minneapolis Public Schools' Accident Report form.

If a student is injured while being physicaly managed, the student's social worker or program coordinator should notify the student's parents.

4. Certain physical management procedures are prohibited from use in elementary programs because of the potential for student injury or pain. These procedures are:

A. Using excessive force, pressure, jerking, or pulling of the limbs. Pressure against the wrist or elbow joint is not appropriate.

B. Forcing a student's face or body into a wall or furniture.

C. Moving a student by pulling on a limb, both arms and legs, or by an arm and a leg.

D. Using headlocks, full-nelsons, arm bars, and other wrestling holds.

E. Shaking a student for any reason.

F. Striking a student for any reason.

5. During the school year, staff should be required to participate in physical management practices training in order to perfect these techniques to prevent student/staff injuries.

Physical Restraint, Holding and Moving of Secondary Age Students

When physical intervention is used, staff will:

1. Stay calm and refrain from using inciteful language.

2. Use only as much force as necessary to terminate the episode. Intentional infliction of any type of pain as punishment for misbehaving is never

appropriate.

3. Whenever possible, use two or more staff to move a student.

4. Whenever possible, give student a choice to demonstrate self-control both before using force and during the episode if possible and safe.

5. Use physical intervention only as long as necessary.

6. Staff in programs working with emotionally disturbed or behaviorally disturbed students will receive training in methods of physical restraint and movement which provide as much safety as possible for students.

7. Use only physical maneuvers which do not result in constriction of the trachea or windpipe when restraining a student, or which do not risk injury of the neck.

8. Only the most severe confrontations between staff and students which can be defined as physical assault, justifies any extreme use of force. The counter force should not exceed that necessary to control the situation.

9. Assaultive interaction between students must be terminated with sufficient dispatch and force as necessary to terminate the episode and protect the student involved.

Physical Restraints

The use of physical restraints to control the movement of students is an intrusive procedure. Therefore, restraints may be used as part of, but not as a substitute, for additional positive programming. Also, informed consent must be obtained from the parent or guardian for their use and each usage must conform to common professional standards. Written informed consent is necessary, but not a sufficient step in utilizing physical restraint and cannot substitute for compliance with the procedural safeguards described below.

1. Whenever restraints are employed to eliminate maladaptive or problem behaviors, the individual's record documents the fact that less restrictive methods of modifying or replacing the behavior have been systematically tried and have been demonstrated to be ineffective.

2. Except when used as a time-out device, in accordance with applicable district standards, physical restraint is employed only when absolutely necessary to protect the individual from injury to him or herself or to others, and restraint is not employed as punishment, for the convenience of staff, or as a substitute for a positive program.

3. Physical restraint is used only as an integral part of positive individual educational program plan that is designed by an interdisciplinary team to lead to a less restrictive way of managing, and ultimately to the elimination of, the behavior for

which the restraint is applied.

4. Each program plan utilizing restraint must specify:
   a. the behavior to be eliminated,
   b. the method to be used,
   c. the schedule for use of the method,
   d. the person responsible for the program, and
   e. the data to be collected to assess progress toward the objectives.

Each program plan utilizing restraint is reviewed and approved prior to the implementation:
   a. by the school's behavior management team,
   b. the individual's record documents all periods of restraint, with justification and authorization for each.

5. The facility has a written policy that defines the uses of restraint, the staff members who may authorize its use, a mechanism for monitoring and controlling its use, and a listing of behaviors for which restraints are or are not appropriate.

6. An individual placed in restraint is checked continuously by staff trained in the use of restraints, and a written record of such monitoring is kept.

7. Restraints are designed and used so as not to cause physical injury to the individual, and so as to cause the least possible discomfort.

8. The use of a waist strap and tether to prevent a child from running away when in a hazardous area is a special instance of physical restraint which nonetheless requires the same procedural safeguards as all other forms of physical restraints.

Appendix B

Aversive and Deprivation Programs for Special Education Students

District #916, White Bear Lake, Minnesota

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Originator: Director/Special Education

Effective Date: 11/3/80

Objective

This procedure outlines a orderly process for the development and implementation of aversive and deprivation programs for special education students under the supervision of licensed staff and supervisors.

General

The application of aversive or deprivation procedures are extreme measures used for the modification of serious behavioral problems. The use of such procedures require careful, thoughtful planning to ensure that the rights, safety and welfare of students, parents, and staff are protected.

It must be noted throughout this procedure that all positive means of trying to change negative or injurious behavior are used by the staff prior to consideration of any aversive/deprivational procedures. Also important, is the fact that other aspects of the child's daily program and IEP will have positive behavioral programming simultaneously implemented. Specific problem behaviors under definitions 1 and 2 could necessitate this procedures' addition to the child's program.

All handicapped students must be provided an educational program appropriate to their needs. This program includes provision for service that relate to student strengths and abilities, special problems and individual learning styles.

When aversive or deprivation procedures are used, there must be reasonable expectation that these programs will assist in obtaining the goals that have been developed by the child study team and included in the individual educational plan for the student. Each aversive and deprivation program which is recommended to the child study team must be pre-approved by the review team. A review team consisting of knowledgeable professionals and other interested persons will be established for each special education site.

Aversive and deprivation programs will be used only after documentation that positive approaches to modifying behavior have failed, although there may be times when a student's behavior is so suddenly disruptive that it temporarily precludes the use of positive behavioral methods. These programs will be used when the identified behavior is jeopardizing the student's safety or well-being, the well-being or safety of others, the material

environment, or grossly impairs learning so as to render instruction ineffective. Aversive and deprivation procedures must be used in conjunction with a positive component and the least aversive procedure available must be tried first. The personnel responsible for the application of these programs shall be trained in behavioral techniques and knowledgeable of procedures relating to aversive and deprivation programming.

It is possible that students could be deprived of an activity, material goods, contact with an individual or presented an aversive stimula on an emergency situation, due to behavior. Whenever any of the consequences explained in this procedure are used or observed in use, more than twice a month the procedures of this document must be followed. There is a separate 916 policy that relates to corporal punishment and this should be reviewed (JDK).

Definitions

1. Aversive procedure - contingent application of a painful or noxious stimulus as a consequence for a particular behavior and includes, but is not necessarily limited to, the following:

a. Unpleasant body contact. This may occur when physically restraining a student against his/her will. Situations requiring this action are usually the result of a student causing self-inflicted injury, injury to others, or damage to school property. Holding a student, as gently as possible, is the most common method of physical restraint. Methods do not include any intentional pain inflicted to the student.

b. Unpleasant or bitter-tasting foodstuffs.

c. Overcorrection.

d. Time-out. Time out is a systematic method of removing a student from social reinforcement. There are several levels of time-out. Examples are having a student sit outside the classroom, removing a student to a designated time out area, and the most restrictive form of time-out, placing a student in a locked room, or placing a student in a chair equipped with velcro restraints (self-adhering cloth). (All levels are under the observation of a trained staff person.)

2. Deprivation procedure - withdrawal or delay of goods and/or services to which the student would ordinarily be entitled and includes, but is not necessarily limited to, the followng:

a. space for personal property,

b. access to a noon meal and snacks,

c. normal environmental and social contact,

d. reasonable use and control of personal possessions,

e. participation in high-interest activities such as specific field trips, leisuretime activities, and free-time activities.

3. Child Study Team - a team of persons responsible for determining the educational needs

of the student which, at a minimum, shall include a school administrator or designee, the student's regular classroom teacher, appropriate special education personnel, other support personnel, the parent and when appropriate, the student. This team decides on the necessity of and must give approval to behavioral programs with aversive or deprivational components.

4. Review Team - is composed of several professionals with recognized expertise in behavior management programs. One member must be an individual with expertise and not an employee of the 916 Special Education Department. The other representatives could be a social worker, psychologist, or classroom teacher (other than the teacher of the child with the aversive/ deprivation program).

Procedure

1. The instructor has generally involved support staff, parents and other staff prior to determining that an aversive or deprivation program may be warranted.

2. When the instructor has determined that an aversive or deprivation program should be considered, the building supervisor should be contacted.

3. The supervisor will review the case with the instructor to ensure that adequate data is available and that all other appropriate alternatives have been explored as documented over a period of time.

4. If the supervisor and instructor agree that an aversive or deprivation program may be necessary, the supervisor will call a meeting of the Review Team for technical assistance.

5. The Review Team will, after reviewing the data, provide recommendations relating to the appropriateness of the aversive and/or deprivation program under consideration for proposal to the Child Study Team at the I.E.P. conference, or the Review Team may suggest alternative procedures for dealing with the situation. A review schedule will be established by the Review Team.

6. Arrange for staffing with the Child Study Team, ensuring that every effort has been made to include representation from the parent or guardian.

7. The Child Study Team shall establish whether aversive or deprivation techniques will be used. The Child Study Team will ensure that:

a. Adequate data of positive programming will be documented as being unsuccessful prior to the implementation of any aversive or deprivation technique.

b. The identified behavior must present a clear and present danger to the student's own physical safety, the safety of others, property destruction or all previous instructional strategies have not modified the behavior.

c. The procedure must be for the benefit of the student and not used for staff convenience.

d. The procedure must be the least restrictive alternative for that student.

8. The program plan shall be written by the Child Study Team, become a part of the I.E.P., and shall include the following information:

a. Student's name.

b. Statement of problem--specific IEP goal which the program is designed to meet.

c. Behavioral objective--operational definition of the behavior and baseline data results.

d. Data collection procedure--method of daily recording and/or observation schedule must be specified.

e. Specification of who is responsible for data collection and implementation of the procedures (name and title).

f. Implementation schedule-specification of date of initiation of program and review dates.

g. Treatment conditions---precise description of the proposed treatment procedures and the setting in which the procedures will be implemented.

h. Response criterion---criteria for continuation, termination or reduction of the aversiveness of the program must be determined before the plan is implemented.

i. Termination note---student, parents and/or legally appointed guardian must be informed of plans to terminate.

9. Informed consent must be received prior to implementation of any aversive or deprivation procedure.

a. Informed written consent shall be obtained from at least one of the student's parents, legal guardian, or legal surrogate.

b. If the student is under general guardianship, written consent shall be obtained from the guardian.

c. In the case of a student under state guardianship where parental rights have been terminated, the Commissioner of Public Welfare shall give written consent.

d. The individual providing consent should be made aware in writing that consent may be withdrawn at any time in writing and the use of aversive and deprivation techniques shall be immediately terminated.

10. All staff involved in carrying out the aversive and/or deprivation program will receive appropriate inservice training in the methods, safety procedures, and recordkeeping system to be used. Parents and guardians who have students involved in an aversive/deprivation program will have an opportunity to participate in inservice training relative to the procedure. This may be scheduled within 10 school days of the beginning of the program.

11. The specified program will be implemented after the I.E.P. has been approved and the staff have received appropriate training. Data must be kept systematically and behavioral methods must be specified.

12. The aversive or deprivation

program will be monitored continously to ensure that it is implemented as approved by the Child Study Team.

15. The Review Team will evaluate the effectiveness of the procedures being used after a reasonable time period (not to exceed 10 school days). Minor revisions to the procedures my be approved by the Review Team. However, recommendations involving significant change would necessitate the approval and involvement of the Child Study Team, including notice to the parent/guardian.

The 916 School Board policy Corporal Punishment, Policy JDA, reads as follows:

"Students shall not be subjected to corporal punishment by the staff of the District 916. Corporal punishment, as used in this policy, means the intentional striking, pushing or otherwise inflicting bodily harm on a student as punishment for an offense committed. Physical restraint of a student by a school personnel to prevent that student's inflicting harm to his/her person, to other persons, or to property, will not be considered corporal punishment."

Appendix C

State of Indiana Draft Guidelines for Seclusion Time-Out

Indiana Department of Public Instruction, Indianapolis, Indiana

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Some handicapped children may require special programming because they exhibit maladaptive or severely aggressive behaviors. The programs designed to modify maladaptive behaviors must emphasize the development of desirable and adaptive behaviors, rather than merely the elimination or suppression of undesirable behaviors. Goals relative to behavior management, like other aspects of a child's individualized educational program, must reflect evaluation and decision by the case conferece committee. Methods used in behavior management must be designed so that the least restrictive means of managing are employed. In addition, special attention must be directed to assuring protection of the rights of the child.

Time-out from positive reinforcement has proven to be a popular and effective consequential technique for reducing the rate of inappropriate behavior. Although viewed as effective, time-out is potentially a highly aversive procedure if used improperly. There are specific issues that must be addressed prior to instituting time-out procedures because inappropriate usage could be considered abusive or ethically questionable.

In Indiana, current legal guidelines pertaining to the use of time-out procedures are vague; however, litigation from decisions rendered in Wyatt vs. Stickney, 344 F. Supp. 373 (M.D. Ald. 1972) and Morales vs. Turman, 383 F. Supp. 53 (E.D. Texas, 1974) are evidence that judical monitoring of time-out and other behavioral management procedures is probable and possible. Accordingly, local education agencies should develop, implement and monitor guidelines for use of time-out procedures in classrooms and related educational settings.

Seclusion time-out procedures may be necessary for those behaviors for which milder forms of time-out are ineffective or not feasible. Such a situation exists when a student is so physically strong and behaviorally resistive that applications of contingency or exclusion procedures would endanger the physical well being of both that student, other students, or staff; or when a student displays such severe or skillful aggression that the behavior must be eliminated before severe damage occurs or appropriate behavior can be shaped. Seclusion time-out should be distinguished from exclusionary time-out techniques which involve ignoring, contingent observation and removal from reinforcing activities, and exclusion time-out from all reinforcement.

The student's case conference committee should prescribe the use of seclusion time-out for only those behaviors that warrant aversive procedures. It is strongly suggested that parent

permission for the use of the seclusion time-out procedure be secured at the time the procedure is discussed. The behavioral prescription that guides and details the use of seclusion time-out should be implemented on an interim basis so that continuous evaluation is encouraged. The following guidelines should be considered to determine if the use of seclusion time-out procedures is appropriate:

1. The behaviors that will result in time-out should be explicitly stated. The statement should also identify the reinforcing situations that are maintaining the behavior.
2. The teacher or behavioral specialist should have documentation that the milder forms of time-out or other reduction techniques have proved ineffective in suppressing the inappropriate behavior.
3. The teacher or behavioral specialist should prepare a concise, written statement of procedures to be followed when placing a student in seclusion time-out.
4. If a seclusion time-out room is used, the room should be free of objects and fixtures with which children could harm themselves; be properly lighted and ventilated; and be at least six by six feet in size. The supervisor should be able to visually monitor all portions of the room, and the room should not be locked.
5. A staff member must be assigned to the area of the time-out room so that continuous visual and auditory monitoring occurs.
6. The student should be confined to the room only until he/she is calm and otherwise indicates responsiveness to social interaction. This time period should not exceed three to seven minutes.
7. Records should be kept of each occasion when seclusion time-out is used. The records should include:
   a. Student's name.
   b. A detailed account of the circumstances surrounding the episode and placement in time-out.
   c. The time of day the student was placed in and released from time-out.
   d. The total time in seclusion time-out.
   e. The students' behavior in time-out.
   f. The student's behavior after being released from time-out.
8. Differential reinforcement of more appropriate behavior must be included to accompany the use of seclusion time-out.
9. When a prescription for seclusion time-out is written, it is recommended that the student's program be examined for appropriateness. This review is encouraged because the need for this type of behavioral intervention could indicate that behavioral objectives, techniques, or other factors affecting the learning environment are not appropriately matched with the student's needs and behaviors.

Although the guidelines suggest a set of procedures to be used when seclusion time-out is

implemented, they represent suggestions for only one technique existing among a broad range of behavioral techniques and procedures. It is suggested that guidelines pertaining to the implementation of other controversial procedures be developed. In addition, it is recommended that all personnel involved in designing and implementing behavioral management procedures be adequately trained, and monitored in such procedures. It is imperative that these persons have attained levels of skill and competency so that their qualifications correlate with their responsibilities.

Appendix D

Grant Wood Area Education Agency Position on Time-out

Grant Wood AEA, Cedar Rapids, Iowa

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Time-out is the removal of the opportunity to engage in reinforced behaviors. When properly used, time-out may serve as an effective punishment procedure. In a broad sense, this removal may range from turning a chair away from the group, to cornering, to moving a child to the hallway, to placing a student in an unlocked, secluded area, to closing him/her in a "time-out box," to excluding the child from school. It is "effective only if the classroom environment from which the child is removed is more reinforcing than the isolation area in which he is placed" (Rutherford, p. 53).

These policy guidelines for ethical and legal use of time-out are specifically for those systems that include exclusion of students for severe behavior into a time-out box or cabinet or room. They are drawn primarily from Gast and Nelson's recommendations printed first in Exceptional Children (April, 1977) and reprinted in Iowa Perspective (April, 1978, Carl R. Smith, ed.). A reprint of that article and other supporting materials follow.

Restrictions on the Use of Time-out

1. Time-out should be used only for behaviors that are destructive of property, aggressive to others, or severely disruptive to the class environment. General non-compliance, self-stimulation, academic refusal, etc. can be responded to with less stringent and restrictive techniques.
2. The necessity of using physical force to place a student in time-out beyond that reasonably managed by the teacher is inappropriate in a public school classroom. Involuntary time-out must not be used with such students, and in general, time-out is not an appropriate intervention for classroom use with any students older than 12 unless they have made a contractual agreement for its use.
3. Time-out rooms must meet structural guidelines and provide an adult the means of continuously monitoring, visually and auditorally, the students' behavior (see Gast and Nelson, #6 a-f).
4. Time spent in time-out must be kept within these limits:
   a. No more than 5 minutes each exclusion-preschool.
   b. No more than 15 minutes each exclusion-lower elementary.
   c. No more than 20 minutes each exclusion-middle elementary.
   d. No more than 30 minutes each exclusion-upper elementary and up.
   e. No more than an average of one time daily after the first two weeks in the classroom.
5. Should a time-out period extend past these limits, a professional colleague should be immediately called in to help evaluate the appropriateness of continuing the time-out pro-

cedure. This may be the principal, counselor, an ED team member, or another AEA support staff person in the building.
6. Time-out shall be altered or discontinued as a behavior change technique if data do not support its effectiveness. An advisory committee consisting of the teacher, principal, ED team member, and parent should be called in to evaluate the appropriateness of using time-out as a consequence for misbehavior if its effect in suppressing the behavior is questionable.

Components of Appropriate Use of Time-out

1. Time-out must be paired wth a plan to provide positive reinforcement for appropriate behaviors. A cardinal rule in the use of time-out is that a corresponding effort should be made by the teachers to increase their level of positive interaction" with the child when he/she is "behaving appropriately, particularly during the time the seclusion program is in effect." (Forness, p. 91).
2. A concise written statement of procedures to be followed whenever placing a student in time-out should be prepared as a classroom guide and individualized for each student for whom a time-out program is to be used. (See Gast and Nelson, #5 a-c, for specific suggestions.)
3. The IEP must include a statement of the time-out plan and the behavior goals for its use. Through the IEP process, parents will have knowledge of and opportunity to agree with both the use of time-out and the positive components of their child's management plan.
4. Records must be kept of each occasion when time-out is implemented and should include those items listed by Gast and Nelson in recommendation #7.
5. Student participation in planning and carrying out his/her behavior management plan, including use of time-out, should be used to the maximum degree possible. (e.g, see Gast and Nelson, #5c.)
6. Direct teaching of appropriate behaviors to be used in place of those punished by time-out should be included in the total behavior change program. Role playing, modeling and self-instruction techniques may be used in "debriefing" sessions following use of time-out.

Summary Comments

"A critical factor for the success of time-out appears to be the positive reinforcement available in the classroom. This procedure will only be effective if there is sufficient positive reinforcement available in the classroom so that removal from that setting, for no matter how short a time period, will be aversive to the child." (Rutherford, p. 54).

"Advantages and Disadvantages of Time-out. There is no question that time-out can be effective in controlling inappropriate/deviant child behavior. However, in the author's opinion, it should be used only as a last resort. There are several reasons for this. First, time-out removes the child from classroom acti-

vities and deprives him/her of the opportunity to engage in appropriate or prooductive behavior while in time-out. Secondly, time-out is an easily abused technique and its use must be supervised and monitored very carefully. Thirdly, when time-out is applied to nondisruptive, relatively innocuous classroom behaviors, it represents a form of overkill. Finally, other methods such as response cost are equally as effective as time-out, but are easier to manage and less subject to abuse." (Walker, p. 123).

Appendix E

Developing Policy for the Use of Time-Out

Excerpted and reprinted with permission of the Council for Exceptional Children from "Time-out in the Classroom", by C. Michael Nelson and David Gast, Exceptional Children, 1977, 43, (7), 461-464. (C) Council for Exceptional Children.

Guidelines:

1. Staff should be able to identify the reinforcing situations that are maintaining the child's inappropriate behavior.
2. Those behaviors that will result in time-out should be explicitly stated before the time-out contingency is implemented.
3. The teacher should attempt to control the inappropriate behavior first by employing milder forms of time-out (i.e., ignoring, contingent observation, and exclusion time-out, respectively) prior to resorting to seclusion time-out.
4. Documentation that milder forms of time-out have proved ineffective in suppressing the inappropriate behavior should be provided before resorting to seclusion time-out.
5. The teacher should formulate a concise, written statement of procedures to be followed whenever placing a student in time-out. The authors suggest these specific practices:

a. Avoid lengthy verbal explanations as to why the student is being placed in time out. Behaviors resulting in time-out should be clearly explained prior to implementing the time-out program. If a explanation is provided, it should be brief but should adequately inform the student of the misbehavior involved. A standard explanation format such as, "Because you _____, you go to time out for _____ minutes," is recommended. All other interaction should be avoided.

b. Identify those behaviors, if any, that will result in a warning before time out is implemented. These generally are behaviors of low frequency and magnitude that have not been defined explicitly previously. (Other behavior normally will require no warning.)

c. To maximize opportunities to exercise self control, students should be given the opportunity to take their own time out after receiving the instruction from the teacher. However, if students refuse to take their own time out or if they fail to respond to the teacher's instruction within a reasonable time interval (5 to 10 seconds), the teacher should physically remove them to the time out area. For high intensity behavior (e.g., kicking, screaming), the student should be immediately escorted to time out. It is important that the teacher realistically evaluate their ability to physically remove a child to the time out area. If a pupil is able to "break away", requiring a teacher to physically remove the student, this would be inappropriate. Presumably, classrooms with such students would either have a

teacher or teacher aide who could control such resistance. If such is not the case, an alternative strategy will be required. This may entail a reevaluation of the reinforcers in the classroom and the possible use of a response cost contingency in conjunction with a token economy. Other alternatives may include reinforcing other children for ignoring disruptive behaviors or the reassignment of the uncontrollable student to a teacher who is capable of managing highly aggressive and resistant behavior.

d. The duration of each time out period should be brief. One to five minutes generally is sufficient. It is doubtful that time out periods exceeding 15 minutes serve the purpose for which they are intended (i.e., temporary withholding of positive reinforcement).

e. Release from time out should be made contingent upon the student's behavior while in time out. A changeover delay procedure of 1 minute (i.e., a contingency for release from time out of 1 minute in which no inappropriate responses are emitted) will avoid reinforcing a child's inappropriate behavior while in time out.

6. If a seclusion time out is to be employed, the time out room should:

a. Be at least six by six feet in size.

b. Be properly lighted (preferably recessed, with the switch outside the room).

c. Be properly ventilated.

d. Be free of objects and fixtures with which children could harm themselves.

e. Provide the means by which an adult could continuously monitor, visually and auditorily, the student's behavior.

f. Not be locked. A latch on the door should be used only as needed, and only with careful monitoring.

7. Records should be kept of each occasion when time out is implemented and should include the following information:

a. The student's name.

b. The episode resulting in student's placement in time out (i.e., behavior, activity, other student involved, staff person).

c. The time of day student was placed in time out.

d. The time of the day the student was released from time out.

e. The total time in time out.

f. The type of time out (contingent observation, exclusion, or seclusion).

g. The student's behavior in time out.

8. Differential reinforcement of more appropriate social behavior should always accompany a time out contingency.

9. For time out durations in excess of 30 minutes, a supervisory staff person should be consulted to evaluate the appropriateness of continuing the time out procedure.

10. An advisory committee, consisting of the teacher, principal, behavioral specialist, and parent should be called to evaluate the appropriateness of using time out as a consequence for misbehavior if its effect in suppressing the behavior is questionable.

A Reaction by:

John Downs
Assistant Director of
Education
Boys Town
Boys Town, Nebraska

To critique a paper whose intended purpose and intents are to (1) improve services to children and (2) inform and educate parents, teachers, and administrators, may, in fact, be comparable to criticizing the flag, Mom and apple pie. However, in reviewing Dr. Wood's article there are some issues which need clarification and, I feel, some precautions which should be addressed by those individuals who will be developing policy and procedure statements in educational settings.

The guidelines for development of policy/procedural statements are directed toward a special education population, although the entire process is designed to benefit any child in need of non-traditional intervention. The guideline development, however, is somewhat misleading in indicating that the procedures referred to are "non-traditional educational interventions" as all references in the article are directed toward the use of aversive or deprivation procedures in a school setting. I would also consider it a serious misnomer to refer to behavior modification, affective education, and moral development as "non-traditional educational interventions." Such procedures have been and are being used so extensively (both purposefully and non-purposefully) as to be considered a part of the traditional repertoire of teachers. To attempt to develop guidelines for the use of such broad non-descript categories would, I suspect, be met not only with significant opposition, but would require that school districts provide adequate training of all school personnel in the "use" of such procedures. It would, therefore, appear to be essential that prior to establishing policies and procedures, a determination be made by an educational agency as to what interventions presently employed would require policy/procedure guidelines.

Dr. Wood presents us with a viable set of guidelines for the development of policies/ procedures in using aversive or deprivation treatment intervention. We must, therefore, be cautious when developing such policies, not to exceed the intent of such measures, i.e. - parent awareness, protection of student rights, and improved practice by professional educators.

This article does an excellent job of providing the reader with cautions, rationale, and sample policy/procedure statements. It also places emphasis not just on the development of guidelines but also upon the training of staff members. As a point of further caution, it will be critical in the development of

policy/procedure guidelines that educators be aware that such guidelines will be seen by many staff as "best practice procedures", therefore, when they do become policy, these non-traditional interventions should be used only with those children whose IEP's have specified the use of such procedures. With the development of specific procedural guidelines may also come the belief that such techniques are "validated treatments," applicable to all children exhibiting specified behavior patterns, when, in fact, the research may not support such a belief. Such potential practices would certainly point out the critical aspect of the monitoring and record keeping process. I would most certainly commend Dr. Wood's efforts in attempting to help educators develop reasonable yet comprehensive guidelines for the use of intervention procedures requiring close supervision as well as trained personnel.

A Reaction by:

Margaret Walker
Consultant for Behaviorally Impaired
Lincoln Public Schools
Lincoln, Nebraska

Since 1975 when the Education of All Handicapped Children Act (PL 94-142) was passed, public schools in this country have been faced with the problem of serving students whose behaviors may have, prior to this Act, eliminated them from the public school population. This has brought about, in schools, the use of many behavior management/intervention techniques which in the past had been utilized only in hospital or institutional settings. As Dr. Wood has stated, however, the lay public became concerned and often outraged about the use of these techniques -- sometimes due to lack of understanding about the techniques and the principles behind them and sometimes, unfortunately, because of their misuse by some educators. I agree wholeheartedly with Dr. Wood that it is of extreme importance that any school district utilizing "nontraditional intervention techniques" develop procedures and guidelines governing their use.

Explicit procedures governing the application of nontraditional techniques serve as a form of protection for the school district, but there are more critical reasons for having them. Obviously the most important concern is the protection of the rights of the child. Parents, also, have the right to be fully informed of any intervention techniques which may be aversive, restraining, or otherwise significantly different from those typically used in a classroom. As a parent, I would be quite upset if I found that my child was being placed in time-out, for example, without my knowledge, consent, or understanding of what this was

and how or why it was being done. As educators, we sometimes forget that practices which seem logical and common to us may be unfamiliar and frightening to a parent.

It is also vital that the least restrictive/aversive alternatives be used. Careful planning, documentation, and monitoring of behavior management options tried helps to insure that this issue not be overlooked. Dr. Wood has stated the importance of accurate record keeping and supervision. He has also stressed the training of those persons who will be supervising the use of non-traditional interventions. I would like to add to this that, if at all possible, decisions regarding the use of a technique with a specific student be made by a team of professionals who know and work with the student. This kind of staffing may bring to light information or ideas vital to the success of the intervention plan -- or reasons for which such a plan should not be utilized.

Hospitals and other institutions have for a number of years, been required to follow the type of procedures which Dr. Wood has outlined in this paper. It seems only logical and right that public schools should also follow this practice. The students and behaviors for whom these interventions are necessary are not going to just "go away." It is our responsibility as educators to face this issue and deal with it in a way which will protect the rights of all concerned.

A Reaction by:

Jim Werth
Director of Special Education
Grand Island Public Schools
Grand Island, Nebraska

This topic is frequently found in many of the recent Special Education texts, however, the discussion is seldom to this depth. Problems within the last few years, even in Nebraska, point out the need for policies and procedures regarding disciplinary or corrective actions with handicapped students.

Every special education administrator is probably aware of the need, but, I suspect that few programs have sufficient guidelines to fully protect the interests of the students and of the district.

Most districts currently have policies dealing with corporal punishment, but, to my knowledge, few districts have addressed the issue of other "nontraditional "interventions.

In general, Dr. Wood has done a fine job of rationalizing the need for such policies and procedures. He also provides outlines of the types of issues that need to be addressed. Additional resources are provided for those seeking to develop guidelines. I would, however, like to see more examples of how districts have addressed some of these intervention techniques including more specific guidelines for personnel utilizing such procedures.

It has been my experience that some districts will not even

attempt to utilize such techniques even though they may be needed because of uncertainty concerning public reaction. Perhaps if concrete examples of practices were available, more efficient programming would result. In addition, some districts who do not have appropriate safeguards may avoid latter problems.